

# MAYO ARRESTED IN CIVIL SUIT BY NEW HAVEN GIRL

Former Typist Asks for  
Child's Support Under  
Old State Law.

## MAY ALSO SUE FOR \$20,000 FOR ASSAULT

Radiator Man, Freed on \$1,000  
Bail, Was Once in Jail Here  
for Three Months.

Arrest is no novelty to Virginius J. Mayo, taken into custody at New Haven yesterday on the complaint of Susan Wahlers, who says he is the father of her child. In 1903, when he was not so well supplied with this world's goods, the now millionaire spent three months in the Raymond Street jail, in Brooklyn, in default of \$1,000 bail.

He was under arrest then on an order signed by Justice Blanchard, of the Supreme Court, on the complaint of John S. Wise, Jr., trustee of the bankrupt Mayo & Rohrer Company, dealers in second hand machinery. That company paid the creditors 20 cents on the dollar. The order issued on April 16, and under date of April 18 in the record of the Sheriff's office in Kings County against his name is the charge "fraudulent misapplication of trust funds."

This was before Mayo met Miss Minna Meyer, of Newark, whom he now declares to be the only real and true Mrs. Mayo. He married her in 1904.

Mayo's stay in the Raymond Street jail came after the Mayo & Rohrer Company had been petitioned into bankruptcy by the General Electric Company and other creditors. It had previously been having stormy sailings, and Grant Rohrer, now of Lancaster, Penn., nominally the treasurer of the company, had sought, according to the depositions on file in the United States Court in Manhattan, to have the company wound up.

These efforts came to naught when Mayo, whose business took him all over the country, and whose whereabouts were not always known to Rohrer, returned to New York. Soon after, on April 21, 1902, the petition in bankruptcy was filed. On June 10 the company was adjudged a bankrupt, and Henry A. Wise, Jr., became trustee.

Misappropriation Was Charge.

Almost a year after the petition was filed Mr. Wise, as trustee, began suit in the Supreme Court of this county to recover the proceeds of a note and a check to Mayo for the Mayo & Rohrer Company by the Griffin Iron Company, of New Jersey. At the same time application was made to Justice Blanchard for the arrest of Mayo under Article 1, Chapter 7, Title 1, of the Civil Code. In his affidavit, now on file in the County Clerk's office, Mr. Wise



VIRGINIUS J. MAYO.

charged Mayo with "the fraudulent misapplication of funds of a corporation by the defendant as an officer of the said corporation."

The order of arrest was directed to the Sheriff of Kings, and under date of April 18 the order was returned bearing the endorsement of William E. Melloy, then Sheriff of that county, "arrested and locked up in jail."

The specific charge, made part of Mr. Wise's affidavit, was that Mayo received and converted \$985.67 to his own use. Of this sum \$800 was in the form of a sixty-day note of the company dated April 22, 1901, and a check dated June 13, 1901, for the balance. The note, according to the sworn statement of J. M. C. Thomas, treasurer of the Griffin Company, was returned to the company by Mayo, who was then president, "Mayo & Mayo, V. J. Mayo," and "Market and Fulton National Bank." The check followed the same course.

Paid Up When Wealthy.

Mr. Rohrer in his affidavit identified the signature of Mayo, but swore that the company had no bank account other than that in the Chemical National Bank. He was the proper custodian of all funds, he deposed, but he never saw the note or check or the proceeds of either.

The result of these proceedings is described in another affidavit now on file in the United States Court, sworn to by Mr. Wise. In this trustee, after detailing the conditions of the estate, said Mayo, your trustee resorted to most drastic methods to wit, causing the arrest of said Mayo and keeping him in jail for three months.

A litigation "resulted," the lawyer continued, "in two judgments, upon which the trustee has never been able to collect."

These judgments, according to the record, totalled \$4,157.05. The papers in the case show that later on at an auction, William A. Campbell, sometime counsel for Mayo, paid \$1 for these claims.

Eventually the unsecured creditors of the company, among them Rohrer, the treasurer, received \$1,584 on claims of \$8,354, after secured creditors were paid \$127.

Later, after Mayo came into funds, a civil suit of the judgments against him obtained a settlement, according to Mr. Wise.

"They were not worth much at the time," said Mr. Wise yesterday, "for Mayo then had nothing and the company was putted. Later on, when it became known that he had accumulated a lot of money, he was called upon to settle. My information is that he did so."

In a telegram to The Tribune, Virginius J. Mayo was arrested yesterday on charges made by Susan M. Wahlers, who worked in the Mayo factory as a stenographer down to two or three years ago. The wealthy radiator and airship maker was taken into custody at noon by Sheriff Gus Loh and taken before Justice of the Peace Benjamin Land, who held a preliminary hearing.

Upon the request of Mayo's lawyer, Benjamin Slade, the hearing was continued until the afternoon of today. The antiquated Connecticut statute upon which the complaint was brought will relegate the case from the justice of the peace to the Common Pleas Court, where either party may demand a jury trial. It is thought extremely likely that Miss Wahlers will avail herself of this privilege.

Her suit is civil instead of criminal, and she is entitled under the statute to a jury trial. Mayo is charged with child during minority, or so long as the child shall reside. Usually Connecticut judges also allow damages for a term of ten weeks and the expenses at birth. Miss Wahlers' complaint says the child was born on January 22, 1915.

Mayo gave bonds for \$1,000 to Justice Land, Slade furnishing the bond surety.

Mayo's defense will be a denial of the charge, and it will point to the fact that when Miss Wahlers was arrested by Dr. Sanford during her illness, she told him that the infant's father was a traveling salesman named Mayo, who had been in the city just what court proceedings would be begun, if any, until he had further word from his client.

By Telegrams to The Tribune.

Scranton, Penn., March 15.—Advices received here today seem to show that the first Mrs. Virginius J. Mayo, who died in Philadelphia several weeks before Mayo came to this city in 1888 with his six-year-old daughter, now Mrs. George Kerr, of Pelham, N. Y. It is also stated that the first Mrs. Mayo was buried in Cleveland, where she now rests. Attorney Frederick E. Scott, acting for Mrs. Mayo, refused today to discuss the case.

"We want it to die down," he said significantly, "there has been too much talk."

Whether this remark augured the possibility of a financial settlement Mr. Scott would not say.

# SCHOOLGIRLS CROWD COURT AT ANGLE TRIAL

Report That the Accused  
Woman Was to Testify  
Draws Women, Too.

## HOWEVER, SHE WILL TAKE STAND TO-DAY

State Rests Case—Verdict Now  
Expected by Thursday  
at Latest.

By EMMA RUGGEE.

Bridgeport, Conn., March 15.—It was ladies' day at the Angle trial. To-day the benches previously occupied by men suddenly blossomed with spring millinery and gray-colored feminine furbelows. Mrs. Helen M. Angle was to take the stand. The prospect of seeing the accused woman and hearing her tell the story of how Waldo R. Hallou fell down the staircase to death on June 22, drew a throng of women to the Fairfield County Court House.

In the afternoon a number of giggling schoolgirls pushed their way through the crowd. Older women were dismayed as the testimony began to develop along medical lines, such as are not usually discussed in the presence of young girls.

"What are their mothers thinking of?" asked the court attendants indignantly.

H. D. Simmonds, principal of the High School, said last night that he would investigate the rumors that school girls had cut their classes in order to attend the trial.

"I heard that some of the girls were there, but I believe that was in the afternoon after school was dismissed," he said. "Of course, I have nothing to say about what they shall do outside of school. The question of the propriety of their attendance at the trial is up to their parents. If I find that classes are being cut, that will be looked after."

Local ministers and at least one suffragist voiced their disapproval of the local discipline which permitted young girls to spend the afternoon in such unwholesome surroundings.

"The eagerness of girls in their teens to attend such a trial is deplorable," said the Rev. Gerald H. Beard, pastor of the Park Street Congregational Church. "It is no place for young girls. Their attendance should be stopped."

Mr. William T. Hinks, ex-president of the Connecticut Woman Suffrage Association, said last night that the presence of serious minded women at the trial of a woman was to be deplored. "In the matter of claims against the state," he said, "I find that classes are being cut, that will be looked after."

"I believe that women should make their business to attend every trial in which a woman is involved," the ex-president declared. "We ought, of course, to have women jurors, but until we do, the best we can do is to be on hand and see how things are done. The Connecticut suffragists have been very busy spending their time listening to such things."

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Most of the hints as to Mrs. Angle's physical and mental disability at the time of the tragedy were given by the District Attorney Homer S. Cummings. The defense attempted to show that the contradictory and untruthful statements made by Mrs. Angle after she was arrested were the result of nervous disorders due to her age, which would make her mentally irresponsible after a severe nervous shock.

"Is this an insanity plea?" demanded Mr. Cummings.

"Not at all," replied Horace N. Downs. "It is simply to show that her contradictory stories were due to nervousness and were quite consistent with innocence."

Dr. Frederick Shavory, who attended Mrs. Angle in the Stamford police station after her arrest, said that she was in a hysterical state so that she could not answer any questions coherently. He testified that she had been under his care since May and that she was in a nervous condition such that any great excitement would throw her off her mental balance completely.

Hypothetical questions as to the probable cause of the event of June 22, by Mrs. Angle's mind were objected to by Mr. Cummings, and wrangling over these points occupied most of the day. The rest of the time was filled with minor questions and answers. The marks of the witness were not called. The state rested its case shortly after 11 o'clock.

Samuel Murphy, janitor of the Rippon Building, testified that there was no sign of water upon the stairs. The marks of the witness were not called. The state rested its case shortly after 11 o'clock.

Caught between two Broadway cars at Wall Street, Edward E. Bernheimer sustained injuries to his chest and was taken to the German Hospital. He is in the firm of Jerome J. Danzig & Co., and a member of the Stock Exchange. His home is at 88 Central Park West.

TIME CURTAIN TODAY

2:15—Hello Broadway. Actor  
2:30—Mad in America. Winter Garden  
2:45—The Hawk. Standard  
2:55—The White Feather. Comedy

# State Lawyers in Mix-Up Over Move in Thaw Case

Continued from page 1

Thaw to New Hampshire was opened before Justice Page by Morgan J. O'Brien.

"The fundamental principle of extradition between nations is that it should not be used for any other purpose than to secure the trial of the person who has been indicted by a court of justice. The laws of New York make it possible to indict a person for another crime than that for which he was extradited, but the precedent is against his being held in a non-indictable offence."

O'Brien Argues for Defence.

"The Governor of New Hampshire recognized the requisition of the Governor of New York for the return of Thaw on the theory that he had committed the crime of conspiracy and not on the theory that the state used indictment as a pretext for the ultimate purpose of getting Thaw back to Massachusetts."

"Thaw has not been indicted for any other crime besides that for which he was tried and acquitted, and he is not a fugitive from justice. Extradition should not be used for sinister purposes, because it is based on the fundamental principle of good faith as between states. The honor of the State of New York demands that Thaw be sent back to New Hampshire, and the Attorney General, instead of opposing this motion, should be joining with us in this plea."

Mr. Kennedy arguing against the motion said:

"The reply to that argument is this petition for Thaw's custody from Dr. Raymond Kieb, medical superintendent of Mattewan. He observed him while Thaw was there both while Dr. Kieb was superintendent and as assistant physician. As the superintendent now, he is entitled to his custody under the law. He has never been discharged or become sane, so that he would be entitled to his discharge. He remains dangerous to public peace and safety, and Dr. Kieb petitions that he be returned."

Demands Prisoner for State.

"The Dowling commitment is still in force. Thaw was tried on the indictment for which he was extradited and acquitted, and who has the authority to keep him in custody under the law. We are ordered to take him back to New Hampshire. I shall take him to New Hampshire in ten hours by automobile. I suppose all we will have to do, in the event of such being the order of the court, is to take him to the border, drop him, and let him take care of himself."

This is what happened to Thaw when he was dumped out of Canada. But that time there were neither friends nor enemies on hand to take advantage of his helplessness. There were only friends. But Mr. Kennedy refused to discuss the question asked him, in the light of his remarks that the state would have jurisdiction over Thaw even if he had been forcibly abducted, as to whether there would be state detectives at the New Hampshire border to seize him.

Mr. Cook received a threatening letter yesterday from Boston. It was written in red ink and signed "J. J. Joffrey, second assistant chief of the Black Hand gang of Boston. It had rough drawings of a bomb, a bullet, a revolver and a bottle of poison. A postscript added: 'Some one of these will be the cause of your death if Harry K. Thaw is not given his freedom.'"

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# NEW DRILL MISHAP BLOCKS SUBWAY

Worker Pierces Times Sq. Cable—Accident Like  
January's Ensues.

The piercing of a cable by a workman on the new subway construction in Times Square made a short circuit similar to that which caused the disaster of January 5 and started a fire which tied up underground traffic from 3 to 5 o'clock yesterday morning.

To make transportation paralysis complete, surface cars on the Sixth and Eighth Avenue lines were also stalled. Telephone and telegraph service in the district was crippled.

Dense clouds of smoke from the boardwalk caused discomfort and fear in the many large hotels of the vicinity. Captain Cozine of Truck 24, one of the first pieces of apparatus to respond to the alarm, saw a workman running away with a drill. He pursued, but the fugitive refused to surrender the drill until an engineer for the Public Service Commission arrived and took possession of it.

Drill the On—Crew.

This drill is the only crew to the cause of the fire, as the superintendent in charge of the section was unable to give any definite information. Little time was lost in handling the situation, and orders were immediately given to shut off power from all cables in the vicinity. Outside of the transportation lines affected, cables of the New York Edison Company, the United Electric Light and Power Company and the New York Telephone Company ceased to carry power.

The firemen then changed from sand to water and soon had the fire under control. For some time thereafter smoke poured out of the excavation and halted traffic.

The fire occurred at a point in Seventh Avenue between Forty-second and Forty-third streets, near where the new subway is to be joined to the existing line. Drillers were at work shortly after 3 o'clock, when smoke and flames began to rise from a hole in the concrete, which is being torn down to effect the connection.

Firemen worked under conditions of the greatest difficulty because of the live cables and dense smoke. The smoke spread through the subway, even to the gratings at Broadway and Fifty-third Street, which was the centre of the danger zone on January 5, when one life was lost and hundreds of passengers were imperilled.

The subway tie-up was complete between Fourteenth and Ninety-sixth streets until after 5 o'clock. The fire had been smoldering since the morning rush hours.

Telephone communication was not fully resumed until much later in the day, and even then messages were sent over roundabout routes. The company announced that service was fully restored and that conditions were again normal.

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2 x 2 yards	\$2.75, 3.00, 3.75 and 4.50
2 x 2 1/2 "	\$3.25, 3.75, 4.75, 6.00, 6.75
2 x 3 "	\$4.00, 4.50, 5.75, 7.00, 8.75
2 1/4 x 2 1/4 "	\$4.75, 7.00
Pillow Cases and Sheets	
22 1/2 x 36 in. Pillow Cases	\$1.25, 1.50, 1.75, 2.00 pr.
25 x 36 "	\$1.50, 2.00, 2.25, 2.50 pr.
27 x 36 "	\$1.75, 2.25, 2.50, 2.75 pr.
Single Bed Size Sheets	\$5.50, 7.00, 7.50 pr.
Double Bed Size	\$6.75, 8.00, 9.00 pr.

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environment, food, and entertainment  
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Hot Log for famous Healy Beef-  
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STANDARD ROOF GARDEN, 100 ft. High, 40 ft. Wide  
LUXURIOUS RESTAURANT, 100 ft. High, 40 ft. Wide  
LUXURIOUS RESTAURANT, 100 ft. High, 40 ft. Wide  
LUXURIOUS RESTAURANT, 100 ft. High, 40 ft. Wide

**DETECTIVE URGES  
VOTES FOR WOMEN**  
Burns' Letter Read at First Suffrage Rally Held in School Building.  
The first suffrage rally in a public school building in the city was held last night in the Brooklyn Training School for Teachers, Rogers Avenue and Park Place. It had been arranged by the teachers in the 18th Assembly District.

**HARWOOD**  
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An E. W. RED-MAN COLLAR  
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MR. WALTER DAMROSCH  
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THE JUGGERNAUT